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*Attorneys for Defendant*  
**ROWELL RANCH RODEO INC.**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

JOSEPH P. CUVIELLO and DENIZ BOLBOL, individually,

Case No.: 3:23-CV-01652

## Plaintiffs,

v<sub>2</sub>

ROWELL RANCH RODEO, INC.;  
HAYWARD AREA RECREATION AND  
PARK DISTRICT; HAYWARD AREA  
RECREATION AND PARK DISTRICT  
PUBLIC SAFETY MANAGER/RANGER  
KEVIN HART; and DOES 1 through 2, in  
their individual and official capacities, jointly  
and severally.

**DECLARATION OF OSMAAN KHAN IN  
SUPPORT OF DEFENDANT ROWELL  
RANCH RODEO INC.’S OPPOSITION TO  
PLAINTIFF DENIZ BOLBOL’S MOTION  
FOR SANCTIONS**

### Defendants.

Complaint Filed: April 6, 2023  
Trial: October 21, 2024

I, Osmaan Khan declare as follows:

1. I am an Associate at the law firm of Gordon Rees Scully & Mansukhani LLP. Our firm is counsel for Defendant ROWELL RANCH RODEO INC. (“RRR”). I have personal knowledge of the facts set forth herein, and if called upon to testify, could competently establish the facts set forth herein. This declaration is submitted in support of RRR’s Opposition to Plaintiffs’ Motion to Sanctions.

2. Attached as Exhibit A is the true and correct copy of Defendant Alameda County Sheriff's Office' Response to Interrogatories Set One propounded by Plaintiff Deniz Bolbol, dated

October 27, 2023. Interrogatories Nos. 7 and 9 are relevant here.

3. On December 15, 2023, Counsel for ACSO reached out to requesting Defendant Gary Houts' cell phone number to help check their records. Counsel for ACSO stated that: (1) the presence of the police officers was planned three (3) to four (4) days prior to before the Rodeo; and (2) that the police were on the way to the Rodeo when the call was made.

4. On December 18, 2023, RRR provided Houts' cell phone number to Counsel for ACSO.

5. On December 28, 2023, Bolbol served Deposition Notices for Defendant Houts, Defendant Kevin Hart of HARD, and Defendant Mayfield of the ACSO.

6. February 6, 2024, Bolbol withdrew Deposition Notices for Houts, Defendant Kevin Hart of HARD, and Defendant Deputy Mayfield of the ACSO.

7. On February 9, 2024, Plaintiff Cuvillo testified in his Deposition that he was now aware that the phone call from Defendant Gary Houts did not lead to or cause the arrival of the police at Rowell Ranch Rodeo Park.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on February 29, 2024 at Oakland, California.

① A Klein

Osmaan Khan

# **EXHIBIT A**

1 William B. Rowell, Bar No. 178587  
2 Thiele R. Dunaway, Bar No. 130953  
3 Marc Brainich, Bar No. 191034  
4 Michele C. Kirrane, Bar No. 215448  
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12 mkirrane@fennemorelaw.com

13 Attorneys for Defendants  
14 County of Alameda and Alameda County Deputy  
15 Sheriff Joshua Mayfield

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA

18 JOSEPH P. CUVIELLO and DENIZ  
19 BOLBOL, individually,

20 Plaintiffs,

21 v.

22 ROWELL RANCH RODEO, INC.;  
23 HAYWARD AREA RECREATION AND  
24 PARK DISTRICT; HAYWARD AREA  
25 RECREATION AND PARK DISTRICT  
26 PUBLIC SAFETY MANAGER/RANGER  
27 KEVIN HART; ALAMEDA COUNTY  
28 SHERIFF'S OFFICE; ALAMEDA COUNTY  
and DOES 1 and 2, in their individual and  
official capacities, jointly and severally,

Defendants.

Case No. 3:23-cv-01652-VC

**DEFENDANT COUNTY OF  
ALAMEDA'S RESPONSE TO  
PLAINTIFFS' INTERROGATORIES,  
SET ONE**

1 PROPOUNDING PARTY: PLAINTIFFS JOSEPH P. CUVIELLO and DENIZ BOLBOL  
2 RESPONDING PARTY: DEFENDANT COUNTY OF ALAMEDA  
3 SET NO.: ONE

4 Defendant COUNTY OF ALAMEDA ("Responding Party") hereby makes the following  
5 responses to Plaintiffs JOSEPH P. CUVIELLO and DENIZ BOLBOL ("Plaintiffs")  
6 Interrogatories, Set One.

7 **PRELIMINARY STATEMENT**

8 Responding Party has not fully completed discovery in this action and has not completed  
9 preparation for trial. The responses contained herein are based only upon such information and  
10 documents as are presently available to, and specifically known to Responding Party, and disclose  
11 only those facts and contentions which presently occur to Responding Party. It is anticipated that  
12 further discovery will supply additional facts and add meaning to known facts, as well as  
13 establish new factual conclusions and legal contentions, all of which may lead to substantial  
14 additions to, and/or changes and variations from the responses set forth herein.

15 The following responses are given without prejudice to Responding Party and Responding  
16 Party's right to produce evidence of any subsequently discovery fact or facts which Responding  
17 Party later discover. Responding Party accordingly reserves the right to amend any and all  
18 responses herein as additional facts area ascertained, analyses are made, legal research is  
19 completed, and contentions are made. The responses made herein are made in a good faith effort  
20 to supply as much specification of the facts and contentions as are presently known, which should  
21 in no way be to the prejudice of Responding Party in relation to further discovery, research or  
22 analysis.

23 **RESPONSES TO INTERROGATORIES**

24 **INTERROGATORY NO. 1:**

25 DESCRIBE the policies and procedures YOU follow to ensure that YOUR employees do  
26 not violate a DEMONSTRATOR'S FIRST AMENDMENT RIGHTS at the Rowell Ranch Rodeo  
27 Park in Hayward, California.

1       **RESPONSE NO. 1:**

2           Responding Party objects that this interrogatory is overbroad and unduly burdensome to  
 3 the extent it requires the County of Alameda to undertake a County-wide search for responsive  
 4 information and documents, and accordingly limits its response to the Alameda County Sheriff's  
 5 Office. Responding Party objects to this interrogatory to the extent it calls for information or  
 6 documents protected by the attorney-client privilege and work product doctrine. Subject to and  
 7 without waiving said objections, Responding Party responds as follows:

8           The Alameda County Sheriff's Office provides its recruits with training and instruction in  
 9 First Amendment issues during the Academy instructional program. Academy is a state-wide  
 10 program operated by the State of California's Commission on Peace Officer Standards and  
 11 Training ("POST"). In Alameda County, POST is handled through the Alameda County Sheriff's  
 12 Office's Regional Training Center in conjunction with Chabot College. The State-wide program  
 13 requires 664 hours of instruction and training; Alameda County Sheriff's Office provides 1,064  
 14 hours.

15           During Academy, the Alameda County Sheriff's Office recruits receive training and  
 16 instruction in free speech issues under the First Amendment and the California Constitution. At  
 17 least three of the Academy's learning domains address free speech issues: Domaine 2, Criminal  
 18 Justice System; Domain 4, Handling Disputes/Crowd Control; and Domain 39, Crimes Against  
 19 the Justice System. The learning domains include textbook assignments, lectures, PowerPoint  
 20 presentations, question and answer periods with the instructors, and classroom discussion. The  
 21 training addresses, among other topics, the free speech rights of demonstrators and limitations on  
 22 those rights under the Constitution.

23           The Alameda County Sheriff's Office also conducts a one day training for all deputies and  
 24 sergeants every October. This training addresses free speech issues that may arise and how to  
 25 handle them.

26           In addition, deputies who are a part of the Sheriff's Office's Crowd Management Team  
 27 receive one day of training each month; this training may on occasion address free speech issues.

1       Moreover, the deputies who are assigned to provide a law enforcement presence at non-  
 2 violent events, such as the Rowell Ranch Rodeo, that may involve demonstrations may be  
 3 provided a “refresher” regarding free speech issues by the incident commander prior to arriving at  
 4 the event.

5 **INTERROGATORY NO. 2:**

6       DESCRIBE the training and instruction YOU provide to YOUR employees to ensure  
 7 compliance with the policies and procedures described in Interrogatory No. 1, including  
 8 specifications for differences in training and instructions for different individuals.

9 **RESPONSE NO. 2:**

10       Responding Party objects that this interrogatory is overbroad and unduly burdensome to  
 11 the extent it requires the County of Alameda to undertake a County-wide search for responsive  
 12 information and documents, and accordingly limits its response to the Alameda County Sheriff's  
 13 Office. Responding Party objects to this interrogatory to the extent it calls for information or  
 14 documents protected by the attorney-client privilege and work product doctrine. Subject to and  
 15 without waiving said objections, Responding Party responds as follows:

16       The Alameda County Sheriff's Office provides its recruits with training and instruction in  
 17 First Amendment issues during the Academy instructional program. Academy is a state-wide  
 18 program operated by the State of California's Commission on Peace Officer Standards and  
 19 Training ("POST"). In Alameda County, POST is handled through the Alameda County Sheriff's  
 20 Office's Regional Training Center in conjunction with Chabot College. The State-wide program  
 21 requires 664 hours of instruction and training; Alameda County Sheriff's Office provides 1,064  
 22 hours.

23       During Academy, the Alameda County Sheriff's Office recruits receive training and  
 24 instruction in free speech issues under the First Amendment and the California Constitution. At  
 25 least three of the Academy's learning domains address free speech issues: Domaine 2, Criminal  
 26 Justice System; Domain 4, Handling Disputes/Crowd Control; and Domain 39, Crimes Against  
 27 the Justice System. The learning domains include textbook assignments, lectures, PowerPoint

1 presentations, question and answer periods with the instructors, and classroom discussion. The  
 2 training addresses, among other topics, the free speech rights of demonstrators and limitations on  
 3 those rights under the Constitution.

4 The Alameda County Sheriff's Office also conducts a one day training for all deputies and  
 5 sergeants every October. This training addresses free speech issues that may arise and how to  
 6 handle them.

7 In addition, deputies who are a part of the Sheriff's Office's Crowd Management Team  
 8 receive one day of training each month; this training may on occasion address free speech issues.

9 Moreover, the deputies who are assigned to provide a law enforcement presence at non-  
 10 violent events, such as the Rowell Ranch Rodeo, that may involve demonstrations may be  
 11 provided a "refresher" regarding free speech issues by the incident commander prior to arriving at  
 12 the event.

13 **INTERROGATORY NO. 3:**

14 IDENTIFY all individuals and entities consulted to establish the policies and procedures  
 15 described in Interrogatory No. 1.

16 **RESPONSE NO. 3:**

17 Responding Party objects that this interrogatory is overbroad and unduly burdensome to  
 18 the extent it requires the County of Alameda to undertake a County-wide search for responsive  
 19 information and documents, and accordingly limits its response to the Alameda County Sheriff's  
 20 Office. Responding Party objects to this interrogatory to the extent it calls for information or  
 21 documents protected by the attorney-client privilege and work product doctrine. Subject to and  
 22 without waiving said objections, Responding Party responds as follows:

23 State of California's Commission on Peace Officer Standards and Training, Alameda  
 24 County Sheriff's Office, and Chabot College.

25 **INTERROGATORY NO. 4:**

26 IDENTIFY the person(s) who determined where to locate the "Free Speech Area" that  
 27 was set up on May 20, 2022.

1     **RESPONSE NO. 4:**

2                 Responding Party objects to this interrogatory to the extent it calls for information or  
3 documents protected by the attorney-client privilege and work product doctrine. Subject to and  
4 without waiving said objections, Responding Party responds as follows:

5                 Responding Party has no independent information responsive to this request, beyond the  
6 documents produced by Rowell Ranch Rodeo and HARD in this action. The Alameda County  
7 Sheriff's Office had no role and provided no input in determining where the Free Speech Area for  
8 the May 2022 rodeo would be located.

9     **INTERROGATORY NO. 5:**

10                DESCRIBE the process and determining factors for the location of the "Free Speech  
11 Area" during the 2022 Events.

12     **RESPONSE NO. 5:**

13                 Responding Party objects to this interrogatory to the extent it calls for information or  
14 documents protected by the attorney-client privilege and work product doctrine. Subject to and  
15 without waiving said objections, Responding Party responds as follows:

16                 Responding Party has no independent information responsive to this request, beyond the  
17 documents produced by Rowell Ranch Rodeo and HARD in this action. The Alameda County  
18 Sheriff's Office had no role and provided no input in determining where the Free Speech Area for  
19 the May 2022 rodeo would be located.

20     **INTERROGATORY NO. 6:**

21                DESCRIBE whether YOU provided any input regarding the location of the "Free Speech  
22 Area" during the 2022 Events.

23     **RESPONSE NO. 6:**

24                 Responding Party objects to this interrogatory to the extent it calls for information or  
25 documents protected by the attorney-client privilege and work product doctrine. Subject to and  
26 without waiving said objections, Responding Party responds as follows:

1            Responding Party has no independent information responsive to this request, beyond the  
 2 documents produced by Rowell Ranch Rodeo and HARD in this action. The Alameda County  
 3 Sheriff's Office had no role and provided no input in determining where the Free Speech Area for  
 4 the May 2022 rodeo would be located.

5 **INTERROGATORY NO. 7:**

6            DESCRIBE all conversations, including in-person, in writing and via telephone, YOU had  
 7 with any individual or agency, including but not limited to Rowell Ranch Rodeo, Inc.  
 8 representatives or its employees, and Hayward Area Recreation and Park District employees or its  
 9 representatives, regarding the demonstration activities during the 2022 Events.

10 **RESPONSE NO. 7:**

11            Responding Party objects that this interrogatory is overbroad and unduly burdensome to  
 12 the extent it requires the County of Alameda to undertake a County-wide search for responsive  
 13 information and documents, and pursuant to an agreement with plaintiffs' counsel, accordingly  
 14 limits its response to the Alameda County Sheriff's Office. Responding Party also limits its  
 15 response to the demonstrations on May 20, 2022. Responding Party objects to this interrogatory  
 16 to the extent it calls for information or documents protected by the attorney-client privilege and  
 17 work product doctrine. Subject to and without waiving said objections, Responding Party  
 18 responds as follows:

19            Deputy Sheriffs Joshua Mayfield, Christian Campbell, Sowmya Ramadas, and Matthew  
 20 Laszuk were present at the Rowell Ranch Rodeo on May 20, 2022. During that time, they  
 21 discussed the demonstrations amongst themselves, with the demonstrators, with HARD  
 22 employees, and/or with Rowell Ranch Rodeo volunteers.

23            During the demonstrations, Dep. Mayfield also initiated a telephone conversation with  
 24 Sgt. Moises Gomez, the Sergeant on Duty for the Sheriff's Deputies at the rodeo. Dept. Mayfield  
 25 wanted to appraise Sgt. Gomez of the situation. In sum, Dept. Mayfield advised Sgt. Gomez of  
 26 the ongoing demonstrations and that the demonstrators had been conducting themselves  
 27 peacefully; that HARD/Rowell Ranch had requested that the Sheriff's Deputies instruct the

1 demonstrators to relocate to the Free Speech Area; that he had no intention of compelling the  
 2 demonstrators to relocate to the Free Speech Area; and that he also had no intention of arresting  
 3 the demonstrators unless they blocked ingress/egress (a trespassing violation), became violent, or  
 4 otherwise broke the law. Sgt. Gomez expressed his agreement with Dep. Mayfield's plan for  
 5 handling the demonstrations. This conversation was not memorialized by audio recording or in  
 6 writing by either Dep. Mayfield or Sgt. Gomez.

7 **INTERROGATORY NO. 8:**

8 IDENTIFY the employees or representatives of YOUR office that participated in the  
 9 communications described in Interrogatory No.7.

10 **RESPONSE NO. 8:**

11 Responding Party objects that this interrogatory is overbroad and unduly burdensome to  
 12 the extent it requires the County of Alameda to undertake a County-wide search for responsive  
 13 information and documents, and pursuant to an agreement with plaintiffs' counsel, accordingly  
 14 limits its response to the Alameda County Sheriff's Office. Responding Party also limits its  
 15 response to the demonstrations on May 20, 2022 and to the communications identified in  
 16 Interrogatory No. 7. Responding Party objects to this interrogatory to the extent it calls for  
 17 information or documents protected by the attorney-client privilege and work product doctrine.  
 18 Subject to and without waiving said objections, Responding Party responds as follows:

19 Sheriff's Deputies Joshua Mayfield, Christian Campbell, Sowmya Ramadas, and  
 20 Matthew Laszuk, and Sgt. Moises Gomez.

21 **INTERROGATORY NO. 9:**

22 DESCRIBE the telephone conversations YOU or your employees participated in on May  
 23 20, 2022, including but not limited to the conversation as referenced in paragraph 41 of the  
 24 Complaint, including all details of the call.

25 **RESPONSE NO. 9:**

26 Responding Party objects that this interrogatory is overbroad and unduly burdensome to  
 27 the extent it requires the County of Alameda to undertake a County-wide search for responsive

1 information and documents, and outside the scope of discovery permitted by F.R.C.P. § 26(b)(1)  
 2 to the extent it is not limited to the 2022 demonstrations at the Rowell Ranch Rodeo.  
 3 Accordingly, pursuant to an agreement with plaintiffs' counsel, Responding Party accordingly  
 4 limits its response to the Alameda County Sheriff's Office. Responding Party also limits its  
 5 response to the demonstrations on May 20, 2022 and to the communications identified in  
 6 Interrogatory No. 7. Responding Party objects to this interrogatory to the extent it calls for  
 7 information or documents protected by the attorney-client privilege and work product doctrine.  
 8 Subject to and without waiving said objections, Responding Party responds as follows:

9           Responding Party does not believe that DOE DEFENDANT 1 spoke with anyone at the  
 10 Alameda County Sheriff's Office, as alleged in paragraph 41 of the Complaint. Rather, the only  
 11 telephone conversation the Alameda County Sheriff's Office is aware of involving its Deputies  
 12 either immediately before their arrival and/or during their presence that day at the rodeo was a  
 13 telephone conversation between Dep. Joshua Mayfield and Sgt. Moises Gomez, the Sergeant on  
 14 Duty for the Sheriff's Deputies at the rodeo, which occurred during the demonstration.

15           In sum, Dept. Mayfield wanted to appraise Sgt. Gomez of the situation. He advised Sgt.  
 16 Gomez of the ongoing demonstrations and that the demonstrators had been conducting  
 17 themselves peacefully; that HARD/Rowell Ranch had requested that the Sheriff's Deputies  
 18 instruct the demonstrators to relocate to the Free Speech Area; that he had no intention of  
 19 compelling the demonstrators to relocate to the Free Speech Area; and that he also had no  
 20 intention of arresting the demonstrators unless they blocked ingress/egress (a trespassing  
 21 violation), became violent, or otherwise broke the law. Sgt. Gomez expressed his agreement with  
 22 Dep. Mayfield's plan for handling the demonstrations. This conversation was not memorialized  
 23 by audio recording or in writing by either Dep. Mayfield or Sgt. Gomez.

24 **INTERROGATORY NO. 10:**

25           IDENTIFY the employees or representatives of YOUR office that participated in the  
 26 communications described in Interrogatory No. 9.

27           ///

## **RESPONSE NO. 10:**

Responding Party objects that this interrogatory is overbroad and unduly burdensome to the extent it requires the County of Alameda to undertake a County-wide search for responsive information and documents, and outside the scope of discovery permitted by F.R.C.P. § 26(b)(1) to the extent it is not limited to the 2022 demonstrations at the Rowell Ranch Rodeo. Responding Party accordingly limits its response to the Alameda County Sheriff's Office. Responding Party also limits its response to the demonstrations on May 20, 2022 and to the communications identified in Interrogatory No. 7. Responding Party objects to this interrogatory to the extent it calls for information or documents protected by the attorney-client privilege and work product doctrine. Subject to and without waiving said objections, Responding Party responds as follows:

Dep. Joshua Mayfield and Sgt. Moises Gomez.

**INTERROGATORY NO. 11:**

DESCRIBE the telephone conversations YOU or your employees participated in on May 20, 2022, including but not limited to the conversation as referenced in paragraph 110 of the Complaint, including all details of the call.

## **RESPONSE NO. 11:**

Responding Party objects that this interrogatory is overbroad and unduly burdensome to the extent it requires the County of Alameda to undertake a County-wide search for responsive information and documents, and outside the scope of discovery permitted by F.R.C.P. § 26(b)(1) to the extent it is not limited to the 2022 demonstrations at the Rowell Ranch Rodeo. Pursuant to an agreement with plaintiffs' counsel, Responding Party accordingly limits its response to the Alameda County Sheriff's Office. Responding Party objects to this interrogatory to the extent it calls for information or documents protected by the attorney-client privilege and work product doctrine. Subject to and without waiving said objections, Responding Party responds as follows:

Responding Party does not believe that DOE DEFENDANT 1 spoke with anyone at the Alameda County Sheriff's Office, as alleged in paragraph 110 of the Complaint. Rather, the only telephone conversation the Alameda County Sherri's Office is aware of involving its Deputies

1 either immediately before their arrival and/or during their presence that day was a telephone  
 2 conversation between Dep. Joshua Mayfield and Sgt. Moises Gomez, which occurred during the  
 3 demonstrations.

4 In sum, Dept. Mayfield wanted to appraise Sgt. Gomez of the situation. He advised Sgt.  
 5 Gomez of the ongoing demonstrations and that the demonstrators had been conducting  
 6 themselves peacefully; that HARD/Rowell Ranch had requested that the Sheriff's Deputies  
 7 instruct the demonstrators to relocate to the Free Speech Area; that he had no intention of  
 8 compelling the demonstrators to relocate to the Free Speech Area; and that he also had no  
 9 intention of arresting the demonstrators unless they blocked ingress/egress (a trespassing  
 10 violation), became violent, or otherwise broke the law. Sgt. Gomez expressed his agreement with  
 11 Dep. Mayfield's plan for handling the demonstrations. This conversation was not memorialized  
 12 by audio recording or in writing by either Dep. Mayfield or Sgt. Gomez.

13 **INTERROGATORY NO. 12:**

14 IDENTIFY the employees or representatives of YOUR office that participated in the  
 15 communications described in Interrogatory No. 11.

16 **RESPONSE NO. 12:**

17 Responding Party objects that this interrogatory is overbroad and unduly burdensome to  
 18 the extent it requires the County of Alameda to undertake a County-wide search for responsive  
 19 information and documents, and outside the scope of discovery permitted by F.R.C.P. § 26(b)(1)  
 20 to the extent it is not limited to the 2022 demonstrations at the Rowell Ranch Rodeo. Responding  
 21 Party accordingly limits its response to The Alameda County Sheriff's Office and to the  
 22 communications described in Interrogatory No. 7. Responding Party objects to this interrogatory  
 23 to the extent it calls for information or documents protected by the attorney-client privilege and  
 24 work product doctrine. Subject to and without waiving said objections, Responding Party  
 25 responds as follows:

26 Dep. Joshua Mayfield and Sgt. Moises Gomez.

27 ///

1       **INTERROGATORY NO. 13:**

2           DESCRIBE any complaints, whether informal or formal, YOU have received alleging  
3 interference with a DEMONSTRATOR's FIRST AMENDMENT RIGHTS. This interrogatory is  
4 limited in time to the past five years, beginning July 1, 2018.

5       **RESPONSE NO. 13:**

6           Responding Party objects that this interrogatory is overbroad and unduly burdensome to  
7 the extent it requires the County of Alameda to undertake a County-wide search for responsive  
8 information and documents, and outside the scope of discovery permitted by F.R.C.P. § 26(b)(1)  
9 to the extent it is not limited to the Alameda County Sheriff's Office and demonstrations at the  
10 Rowell Ranch Rodeo. Responding Party accordingly limits its response to the Alameda County  
11 Sheriff's Office and demonstrations at the Rowell Ranch Rodeo beginning July 1, 2018. .  
12 Responding Party objects that this request to the extent it violates California Penal Code Section  
13 832.5, Penal Code Section 832.7, Evidence Code Section 1043, and Gov. Code Section 7927.700.  
14 Responding Party objects to this interrogatory to the extent it calls for information or documents  
15 protected by the attorney-client privilege and work product doctrine. Subject to and without  
16 waiving said objections, Responding Party responds as follows:  
17           Other than plaintiffs' complaints against the County of Alameda regarding the  
18 demonstration at the 2022 Rowell Ranch Rodeo, Responding Party has not been able to identify  
19 any complaints from other demonstrators at the Rowell Ranch Rodeo since July 1, 2018.

20           Responding Party is still in the process of performing a diligent and reasonable search and  
21 upon completion, it will update its Response to the extent it locates additional information and  
22 documents.

23       **INTERROGATORY NO. 14:**

24           DESCRIBE any action YOU have taken regarding complaints alleging interference with a  
25 DEMONSTRATOR's FIRST AMENDMENT RIGHTS. This interrogatory is limited in time to  
26 the past five years, beginning July 1, 2018.

27       ///

1       **RESPONSE NO. 14:**

2           Responding Party objects that this interrogatory is overbroad and unduly burdensome to  
 3 the extent it requires the County of Alameda to undertake a County-wide search for responsive  
 4 information and documents, and outside the scope of discovery permitted by F.R.C.P. § 26(b)(1)  
 5 to the extent it is not limited to Alameda County Sheriff's Office and "DEMONSTRATORS"  
 6 (defined by plaintiffs as demonstrators at rodeos) at the Rowell Ranch Rodeo. Responding Party  
 7 accordingly limits its response to the Alameda County Sheriff's Office and demonstrators at the  
 8 Rowell Ranch Rodeo on May 20, 2022. Responding Party objects to the extent that this  
 9 interrogatory violates the privacy rights of Responding Party's employees. Responding Party  
 10 objects that this request to the extent it violates California Penal Code Section 832.5, Penal Code  
 11 Section 832.7, Evidence Code Section 1043, and Gov. Code Section 7927.700. Responding Party  
 12 objects to this interrogatory to the extent it calls for information or documents protected by the  
 13 attorney-client privilege and work product doctrine.

14       **INTERROGATORY NO. 15:**

15           DESCRIBE any changes to YOUR policies and procedures described in Interrogatory No.  
 16 1 since May 2022.

17       **RESPONSE NO. 15:**

18           Responding Party objects that this interrogatory is overbroad and unduly burdensome to  
 19 the extent it requires the County of Alameda to undertake a County-wide search for responsive  
 20 information and documents, and accordingly limits its response to The Alameda County Sheriff's  
 21 Office and to any changes made in response to the demonstrations at the 2022 rodeo. Responding  
 22 Party objects to this interrogatory to the extent it calls for information or documents protected by  
 23 the attorney-client privilege and work product doctrine. Subject to and without waiving said  
 24 objections, Responding Party responds as follows:

25           Not applicable.

26       ///

27       ///

1       **INTERROGATORY NO. 16:**

2           IDENTIFY the woman Deputy Mayfield hugged upon arrival at the Rowell Ranch Rodeo  
3 Park on May 20, 2022, as referenced in paragraph 110 of the Complaint.

4       **RESPONSE NO. 16:**

5           Responding Party objects to the extent that this interrogatory violates the privacy rights of  
6 Responding Party's employees. Responding Party objects to this interrogatory to the extent it  
7 calls for information or documents protected by the attorney-client privilege and work product  
8 doctrine. Subject to and without waiving said objections, Responding Party responds as follows:

9           Ashley Strassberg.

10       **INTERROGATORY NO. 17:**

11           DESCRIBE Deputy Mayfield's relationship with the woman IDENTIFIED in  
12 INTERROGATORY No 16.

13       **RESPONSE NO. 17:**

14           Responding Party objects to the extent that this interrogatory violates the privacy rights of  
15 Responding Party's employees. Responding Party objects to this interrogatory to the extent it  
16 calls for information or documents protected by the attorney-client privilege and work product  
17 doctrine. Subject to and without waiving said objections, Responding Party responds as follows:

18           Dep. Joshua Mayfield knows Ashley Strassberg on a semi-social and a professional basis.  
19 Ms. Strassberg was working for the Castro Valley Chamber of Commerce at the time that Dep.  
20 Mayfield was working in the County of Alameda's Code Enforcement unit before he joined the  
21 Sheriff's Office.

22       **INTERROGATORY NO. 18:**

23           DESCRIBE the reason why Deputy Mayfield, in his initial approach to Plaintiffs, on May  
24 20, 2022, told them they were fine demonstrating where they were even though they were  
25 demonstrating outside the "Free Speech Area," as referenced in paragraphs 42-43 of the  
26 Complaint.

27           ///

1           **RESPONSE NO. 18:**

2           Responding Party objects to the extent this interrogatory calls for a legal opinion.  
 3           Responding Party objects to this interrogatory to the extent it calls for information or documents  
 4           protected by the attorney-client privilege and work product doctrine. Subject to and without  
 5           waiving said objections, Responding Party responds as follows:

6           Dep. Joshua Mayfield and the Alameda County Sheriff's Office did not have any role or  
 7           input in establishing the Free Speech Area. When Dep. Mayfield arrived at the rodeo and initially  
 8           approached the demonstrators, he did not believe the demonstrators were breaking any law  
 9           simply by peacefully demonstrating where they were at that time, as long as they did not block  
 10          ingress/egress to the rodeo arena (a trespassing violation), did not become violent, or did not  
 11          otherwise break any other law. Accordingly, he had no intention of requiring them to move to the  
 12          Free Speech Area or to arrest them if they did not. He communicated this to the demonstrators at  
 13          that time.

14           **INTERROGATORY NO. 19:**

15           DESCRIBE the reason why on May 20, 2022 Deputy Mayfield, after telling Plaintiffs  
 16          they were fine demonstrating outside the "Free Speech Area," re-approached Plaintiffs with  
 17          Defendant Kevin Hart and told Plaintiffs they could be arrested for demonstrating outside the  
 18          "Free Speech Area," as referenced in paragraphs 44-48 of the Complaint.

19           **RESPONSE NO. 19:**

20           Responding Party objects to the extent this interrogatory calls for a legal opinion.  
 21           Responding Party objects to this interrogatory to the extent it calls for information or documents  
 22           protected by the attorney-client privilege and work product doctrine. Responding Party objects to  
 23           this interrogatory to the extent it assumes facts not in evidence; specifically, that he told plaintiffs  
 24          that "they could be arrested could be arrested for demonstrating outside the 'Free Speech Area'";  
 25          and that he was working "in concert" with Mr. Hart and/or HARD. Subject to and without  
 26          waiving said objections, Responding Party responds as follows:

1           Dep. Joshua Mayfield and the Alameda County Sheriff's Office did not have any role or  
 2 input in establishing the Free Speech Area. When Dep. Mayfield arrived at the rodeo and initially  
 3 approached the demonstrators, he did not believe the demonstrators were breaking any law  
 4 simply by peacefully demonstrating where they were at that time, as long as they did not block  
 5 ingress/egress to the rodeo arena (a trespassing violation), did not become violent, or did not  
 6 otherwise break any other law. Accordingly, he had no intention of requiring them to move to the  
 7 Free Speech Area or to arrest them if they did not. He communicated this to the demonstrators at  
 8 that time.

9           A short while later, Dept. Mayfield walked over with Kevin Hart of HARD to the  
 10 demonstrators. While Dept. Mayfield was standing there, Mr. Hart showed the demonstrators a  
 11 map of the rodeo grounds, including the Free Speech Area, and Mr. Hart requested that they  
 12 relocate to the designated area. During this interchange between Mr. Hart and the demonstrators,  
 13 Plaintiff Joseph P. Cuvillo turned to Dep. Mayfield and asked him if he was going to arrest him  
 14 if he did not comply with Mr. Hart's request. Dep. Mayfield responded that he "could be  
 15 arrested..." At the time he made the statement, Dep. Mayfield had no intention of arresting the  
 16 demonstrators, but was merely informing them that if they blocked ingress/egress, were not  
 17 otherwise peaceful, or broke other laws, that they could be arrested.

18           While Mr. Hart and the demonstrators continued to engage, Dep. Mayfield left and  
 19 initiated a short telephone conversation with Sgt. Moises Gomez, the Sergeant on Duty for the  
 20 Sheriff's Deputies at the rodeo. Dept. Mayfield wanted to appraise Sgt. Gomez of the situation.  
 21 In sum, he advised Sgt. Gomez of the ongoing demonstrations and that the demonstrators had  
 22 been conducting themselves peacefully; that HARD/Rowell Ranch had requested that the  
 23 Sheriff's Deputies instruct the demonstrators to relocate to the Free Speech Area; that he had no  
 24 intention of compelling the demonstrators to relocate to the Free Speech Area; and that he also  
 25 had no intention of arresting the demonstrators unless they blocked ingress/egress (a trespassing  
 26 violation), became violent, or otherwise broke the law. Sgt. Gomez expressed his agreement with  
 27  
 28

1 Dep. Mayfield's plan for handling the demonstrations. This conversation was not memorialized  
 2 by audio recording or in writing by either Dep. Mayfield or Sgt. Gomez.

3 After ending his telephone call with Sgt. Gomez, Dep. Mayfield returned to speak with  
 4 Mr. Cuviello and the other demonstrators, with the intention of repeating his early request that the  
 5 demonstrators not block the ingress/egress and that they remain peaceful.

6 **INTERROGATORY NO. 20:**

7 IDENTIFY the person(s) Deputy Mayfield was speaking to on his cell phone, as  
 8 referenced in paragraphs 49-50 of the Complaint.

9 **RESPONSE NO. 20:**

10 Responding Party objects to this interrogatory to the extent it calls for information or  
 11 documents protected by the attorney-client privilege and work product doctrine. Subject to and  
 12 without waiving said objections, Responding Party responds as follows:

13 Sgt. Moises Gomez of the Alameda County Sheriff's Office.

14 **INTERROGATORY NO. 21:**

15 DESCRIBE the conversation Deputy Mayfield had with the person(s) IDENTIFIED in  
 16 INTERROGATORY No. 19.

17 **RESPONSE NO. 21:**

18 Responding Party objects to this interrogatory to the extent it calls for information or  
 19 documents protected by the attorney-client privilege and work product doctrine. Subject to and  
 20 without waiving said objections, Responding Party responds as follows:

21 During the demonstrations, Dep. Mayfield initiated a short telephone conversation with  
 22 Sgt. Moises Gomez, the Sergeant on Duty at the time. In sum, Dept. Mayfield wanted to appraise  
 23 Sgt. Gomez of the situation. He advised Sgt. Gomez of the ongoing demonstrations and that the  
 24 demonstrators had been conducting themselves peacefully; that HARD/Rowell Ranch had  
 25 requested that the Sheriff's Deputies instruct the demonstrators to relocate to the Free Speech  
 26 Area; that he had no intention of compelling the demonstrators to relocate to the Free Speech  
 27 Area; and that he also had no intention of arresting the demonstrators unless they blocked

1 ingress/egress (a trespassing violation), became violent, or otherwise broke the law. Sgt. Gomez  
 2 expressed his agreement with Dep. Mayfield's plan for handling the demonstrations. This  
 3 conversation was not memorialized by audio recording or in writing by either Dep. Mayfield or  
 4 Sgt. Gomez.

5 **INTERROGATORY NO. 22:**

6 DESCRIBE the conversation Deputy Mayfield had with Defendant Kevin Hart and other  
 7 police officers, as referenced in paragraph 50 of the Complaint.

8 **RESPONSE NO. 22:**

9 Responding Party objects to this interrogatory to the extent it calls for information or  
 10 documents protected by the attorney-client privilege and work product doctrine. Subject to and  
 11 without waiving said objections, Responding Party responds as follows:

12 Dep. Joshua Mayfield explained to Mr. Hart that he and the other Deputies would not  
 13 require the demonstrators to leave the rodeo grounds and/or relocate to the Free Speech Area as  
 14 long as they did not block ingress/egress, became violent, or otherwise break any other law.

15 Dated: October 27, 2023

FENNEMORE WENDEL

16  
17 By: 

18 William B. Rowell  
 19 Thiele R. Dunaway  
 20 Marc Brainich  
 21 Michele C. Kirrane  
 22 Attorneys for Defendants  
 23 County of Alameda and Alameda County  
 24 Deputy Sheriff Joshua Mayfield

**VERIFICATION TO FOLLOW**

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**CERTIFICATE OF SERVICE**

*Joseph P. Cuvillo, et al. v. Rowell Ranch Rodeo, Inc., et al.*  
USDC – Northern District of California, Case No. 3:23-cv-01652-VC

I am a citizen of the United States and employed in County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 1111 Broadway, 24th Floor, Oakland, California 94607.

On October 27, 2023, I served true copies of the following document(s) described as **DEFENDANT COUNTY OF ALAMEDA'S RESPONSE TO PLAINTIFFS' INTERROGATORIES, SET ONE** on the interested parties in this action as follows:

*Please see attached Service List.*

**BY EMAIL OR ELECTRONIC TRANSMISSION:** By causing the document(s) listed above to be sent to the person at the e-mail addresses listed below. I did not receive, within a reasonable time after transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 27, 2023, at Oakland, California.

Lena S. Mason

Lena S. Mason

## **SERVICE LIST**

*Joseph P. Cuvillo, et al. v. Rowell Ranch Rodeo, Inc., et al.*  
USDC – Northern District of California, Case No. 3:23-cv-01652-VC

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*Attorneys for Defendant Rowell Ranch  
Rodeo, Inc.*

**PROOF OF SERVICE***Cuviello, et al. v. Rowell Ranch Rodeo Inc., et al.*

USDC - Northern District of California, Case No. 3:23-CV-01652

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is: Gordon Rees Scully Mansukhani, LLP 275 Battery Street, Suite 2000 San Francisco, CA 94111. On the date set forth below, I served the within documents:

**DECLARATION OF OSMAAN KHAN IN SUPPORT OF DEFENDANT ROWELL RANCH RODEO INC.'S OPPOSITION TO PLAINTIFF DENIZ BOLBOL'S MOTION FOR SANCTIONS**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- VIA E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent by electronically mailing a true and correct copy through the Gordon Rees Scully Mansukhani, LLP electronic mail system from my email address: khernandez@grsm.com, to the email address(s) set forth herein.
- by having Nationwide PERSONALLY DELIVER the document(s) listed above to the person(s) at the address(es) set forth below.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in United States mail in the State of California at San Francisco, addressed as set forth below.
- by placing a true copy thereof enclosed in a sealed envelope, at a station designated for collection and processing of envelopes and packages for overnight delivery by FEDEX as part of the ordinary business practices of Gordon Rees Scully Mansukhani, LLP described below, addressed as follows:

17 18 19 20 21 22 23 24 25 26 27 28	<p>Attorneys for Plaintiff <b>DENIZ BOLBOL</b></p> <p>Lily Rivo, Esq. <b>GREENFIRE LAW, PC</b> 2748 Adeline Street, Suite A Berkeley, CA 94703 Tel: (510) 900-9502 Fax: (510) 900-9502 Email: <a href="mailto:lrivo@greenfirerlaw.com">lrivo@greenfirerlaw.com</a> <a href="mailto:jblome@greenfirerlaw.com">jblome@greenfirerlaw.com</a></p> <p>Attorneys for Defendants <b>COUNTY OF ALAMEDA; ALAMEDA COUNTY DEPUTY SHERIFF'S OFFICE; and JOSHUA MAYFIELD</b></p> <p>William B. Rowell, Esq. Thiele R. Dunaway, Esq. Marc Brainich, Esq. Michele C. Kirrane, Esq. <b>FENNEMORE WENDEL</b> 1111 Broadway, 24<sup>th</sup> Floor</p>	<p>Plaintiff In Pro Per</p> <p>Joseph P. Cuviello 205 De Anza Blvd. San Mateo, CA 94402</p> <p>P.O. Box 2834 Redwood City, CA 94064 Tel: (650) 315-3776 Fax: Email: <a href="mailto:pcuvie@gmail.com">pcuvie@gmail.com</a></p> <p>Attorneys for Defendants <b>HAYWARD AREA RECREATION AND PARK DISTRICT, and KEVIN HART</b></p> <p>Dale L. Allen, Jr., Esq. Nicholas D. Syren, Esq. <b>ALLEN, GLAESNER, HAZELWOOD &amp; WERTH, LLP</b> 180 Montgomery Street, Suite 1200 San Francisco, CA 94104</p>
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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 29, 2024 at San Francisco, California.



Kristie Hernandez

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